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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,563	12/22/2003	Jean-Damien Charrier	VPI/02-131 US	5056
27916	7590 08/31/2005		EXAMINER	
·	HARMACEUTICALS	DAVIS, ZINNA	DAVIS, ZINNA NORTHINGTON	
130 WAVERLY STREET CAMBRIDGE, MA 02139-4242			ART UNIT	PAPER NUMBER
			1625	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)			
Zinna Northington Davis 1025		10/743,563	CHARRIER ET AL.			
The MALING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extension for enemy by solidical box due the previous of 37 CFR 1.136(a). In no event, however, may a reply be timely filed Extension for enemy by solidical box due the previous of 37 CFR 1.136(a). In no event, however, may a reply be timely filed If the period for reply sportled above is less than thinty (50) days, a reply within the studyor ynninemun of blag (3) days will be considered irrely). If No period for reply sportled above is less than the months after the realing date of this communication, even if firely filed, may reduce any search of pastent term adjustment. Sea 37 CFR 1.704(b). Status 1) Sequential provides the previous of the provides after the realing date of this communication, even if firely filed, may reduce any search of pastent term adjustment. Sea 37 CFR 1.704(b). Status 1) Sequential provides a sea of the provides after the realing date of this communication, even if firely filed, may reduce any search of the provides of the provides of the communication of the realing date of this communication, even if firely filed, may reduce any search of the provides of the provides of the provides of the realing date of this communication. 1) Responsive to communication(s) filed on 23 June 2005. Status 1) Sequential provides and the provides and the realing date of this communication. 1) Sequential provides and the realing date of this communication. 2) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the provides of the	Office Action Summary	Examiner	Art Unit			
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DETAILED ACTION

- 1. Claims 1-38 are pending.
- Claims 22-35 are withdrawn from consideration.
- 3. In the response filed June 23, 2005, Applicants have elected the invention of Group I (claims 1-21 and 36-38) without traverse.
- 4. Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).
- 5. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
- 6. Claims 1, 2, 4-8, 10-21, and 36-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- A. At Claims 1- 2 and 36-38, the carbon atoms are not properly defined. See the radicals, alkenyl, alkynyl, and cycloalkyl.
- B. Claims 4, 10-18, 20, and 21 are improperly multiple dependent. Correction is appreciated.
- C. At clam 19, what compound is intended. Clarification is appreciated.

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- D. At claims 5-8, it its suggested that the phrase "claims 1 or 2" should be amended to read as "claim 1 or 2".
- 7. Claims 3 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims to the extent that the claims read on the examined subject matter as recited above.
- 8. Reference N (WO 01/422216) is cited to show the state of the art. See page 15; Table 2; see compound 1B-1. At page 16; Table 3; see compounds 1C-2 and 1C-5. The difference between the prior art compounds and the instantly claimed compounds is the R¹ position. At this position, the prior art teaches -C(O)OH. However, the instant compounds must be -C(O)OC. There is no teach nor suggestion to modify the prior art compounds to those instantly claimed. Accordingly, no rejections based upon prior art are made.
- 9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zinna Northington Davis whose telephone number is 571-272-0682.
- 10. The fax phone numbers for the organization where this application or proceeding is assigned are 571-272-8300 for regular communications.
- 11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

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12. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Zinna Northington Davis
Primary Examiner
Art Unit 1625

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Znd 08.29. 2005